

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GENERAL SERVICES ADMINISTRATION
AND
THE OFFICE OF THE FORMER PRESIDENT AND THE OFFICE OF THE FORMER VICE
PRESIDENT**

Introduction

This Memorandum of Understanding (MOU) establishes guidelines for obtaining services made available by the General Services Administration (GSA) from December 21, 2020, through July 21, 2021, to the former President and Vice President and paid out of funds appropriated in accordance with the Presidential Transition Act of 1963, as amended (3 U.S.C. § 102 note) ("Transition Act").

Upon request, the Administrator of General Services is authorized to provide to the former President and Vice President for use in connection with concluding the affairs of their terms of office, necessary services and facilities including: suitable office space, appropriately equipped with furniture, furnishings, office machines, equipment and supplies; payment of the compensation of members of office staff designated by the former President; payment of expenses for the procurement of services of experts or consultants; payment of travel expenses and subsistence allowances, including lease of motor vehicles; communications services; payment of expenses for printing and binding; and reimbursement to the postal service in the amount equivalent to the postage that would otherwise be payable on mail matter.

The Transition Act authorizes funds not to exceed \$2,600,000 to be appropriated to the Administrator for the use of the former President and former Vice President to be made available through the annual appropriations process during the Fiscal Year of the Presidential Election. After such funds are appropriated by Congress, these Transition Act funds are available for a period beginning no sooner than December 21, 2020, and ending no later than July 21, 2021. Of the \$2,600,000 requested for Outgoing Transition, the intended allocation for the outgoing President has been set by the designee of the President identified below at **\$2,080,000** or **80%** of the appropriation requested. The intended allocation for the outgoing Vice President has been set by the designee of the President identified below at **\$520,000** or **20%** of the appropriation requested.

As provided in the Transition Act, President Trump has designated **Mark R. Meadows, Assistant to the President and White House Chief of Staff**, or his designee, as an assistant ("Assistant") authorized to make on his behalf such designations as may be required in connection with the services and facilities to be provided under the Act. This authority may be redelegated by the aforementioned in writing and delivered to the GSA Outgoing Transition Support Staff. After the GSA Presidential Transition Support Staff disbands on or after July 21, 2021, the GSA point of contact will be the GSA Budget Officer, Office of the Chief Financial Officer, or person designated by the GSA Budget Officer.

As provided in the Transition Act, Vice President Pence will determine a designee as an assistant ("Assistant") authorized to make on his behalf such designations as may be required in connection with the services and facilities to be provided under the Act. This authority may be redelegated by the aforementioned in writing and delivered to the GSA Outgoing Transition Support Staff.

In order that all needs can be expeditiously provided for and necessary financial and other controls maintained, the following procedure for obtaining services made available by the GSA is effective immediately. The procedure outlined below does not attempt to be exhaustive. When questions arise, the Office of the Former President representatives or Office of the Former Vice President representatives should consult with the GSA Outgoing Transition Support Staff or the Federal Transition Coordinator.

As used in this MOU, unless the context clearly requires otherwise, the "Office of the Former President" means the former President, his designee and staff. As used in this MOU, unless the context clearly requires otherwise, the "Office of the Former Vice President" means the former Vice President, his designee and staff.

Control of Funds

The President's Assistant or persons designated by him in writing delivered to the Outgoing Transition Support Staff are designated as the "Fund Manager(s)" for the Office of the Former President. These individuals shall be authorized to request expenditures from the fund for all activities allowed under the statute, ensure that all transactions are documented and processed in accordance with Federal law, GSA procedures, and this MOU, and will serve as the contact for GSA on financial matters.

GSA will not pay any person with Transition Act funds on behalf of the Office of the Former President, nor reimburse the Office of Former President for expenses incurred by it, without the prior submission and approval from the Office of the Former President, executed by a person authorized under the preceding paragraphs.

The Vice President's Assistant or persons designated by him in writing delivered to the Outgoing Transition Support Staff are designated as the "Fund Manager(s)" for the Office of the Former Vice President. These individuals shall be authorized to request expenditures from the fund for all activities allowed under the statute, and work with GSA to ensure that all transactions are documented and processed in accordance with Federal law, GSA procedures, and this MOU, and will serve as the contact for GSA on financial matters.

GSA will not pay any person with Transition Act funds on behalf of the Office of the Former Vice President, nor reimburse the Office of Former Vice President for expenses incurred by it, without the prior submission and approval from the Office of the Former Vice President, executed by a person authorized under the preceding paragraphs.

Accounting Services

Accounting records will be established and maintained by GSA to show the financial transactions of the Office of the Former President with regard to the obligation and expenditure of Transition Act funds. GSA will provide to the Office of the Former President such accounting reports in such frequency as requested by the Office of the Former President. GSA will provide to the Office of the Former Vice President such accounting reports in such frequency as requested by the Office of the Former Vice President. In addition, GSA will prepare any reports required by the Office of Management and Budget, the Department of the Treasury or the Congress for both the Office of the Former President and the Office of the Former Vice President.

Personnel Services

Upon request, the Administrator of General Services is authorized to pay the compensation of members of the office staff designated by the Office of the Former President and Office of the Former Vice President. Payment shall be at rates determined by the Office of the Former President, but not to exceed the rate provided for by 5 U.S.C. § 5376, for Executive Level IV (\$170,800 per annum for calendar year 2020). Persons receiving compensation as members of the office staff under the Transition Act, other than those detailed from Federal agencies, are not held or considered to be employees of the Federal Government. These individuals are eligible for the Federal Employees' Retirement System (FERS), Civil Service Retirement Systems (CSRS), Federal Employees' Health Benefits (FEHB) and Federal Employees' Group Life Insurance (FGLI) only if, immediately prior to the commencement of their employment in the Office of the Former President or the Office of the Former Vice President, they were eligible for such benefits as employees of the Federal Government.

Employment of Experts and Consultants

The Administrator of General Services is authorized to pay expenses for the procurement of services of experts, consultants or organizations thereof for the Office of the Former President or the Office of the Former Vice President, as authorized for the head of any department by Section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. § 3109), at rates not to exceed \$545.04 per day for individuals for calendar year 2020.

Detail of Federal Employees

Any employee of any agency of any branch of the Federal Government may be detailed to the Office of the Former President on a reimbursable basis with the consent of the head of the agency. Detailed employees shall continue to receive compensation for their regular employment and retain the rights and privileges of such employment without interruption. A letter from the Office of the Former President or the Office of the Former Vice President requesting the detail must be submitted to the head of the agency, with a copy to the GSA Transition Support Staff.

Payroll Services

The employees of the Office of the Former President and Office of the Former Vice President ("Offices") will be paid through Electronic Funds Transfer (EFT) to the Financial Institution of their choice. GSA will enter all payroll data and maintain all records. The employees of the Offices will be paid bi-weekly, based on written certification of the designee. Payroll deductions will be made for FICA, and Federal and State tax withholding (except for those employees making \$1 or less). The Offices will notify the GSA immediately if any employees terminate employment with the Offices for any reason, including to begin new employment, so that these employees can be removed from the payroll.

Office Space, Furniture, Equipment and Supplies

GSA will provide office space and related services at the request of the Office of the Former President and at the request of the Office of the Former Vice President

The cost of office space is chargeable to Transition Act funds unless exempted by the Administrator of General Services, in accordance with 40 U.S.C. 586(b)(3) and GSA Order PBS 7025.2, PBS Rent Exemption Procedures, September 25, 2018. Any additional cost of space alterations and after hours utilities requested by the Office of the Former President will be charged to Transition Act funds.

GSA will make furniture and office equipment available for use by the Office of the Former President and the Office of the Former Vice President from stock inventory. The only charge to Transition Act funds will be for the cost of moving the furniture and equipment into the offices and for returning it (if applicable) at the end of the transition period. Furniture and office equipment not available from stock inventory will be obtained upon request of the Office of the Former President or the Office of the Former Vice President, and charged to Transition Act funds. Office supplies are available from the GSA on a reimbursable basis.

Travel

All official travel by the Office of the Former President and persons not on the payroll but invited to travel at the Office's expense and all official travel by the Office of the Former Vice President and persons not on the payroll but invited to travel at the Office's expense that is arranged through GSA or its travel services contractor shall be in accordance with GSA Internal Temporary Duty Travel Policy, Order OAS 5700.1. The Transition Act also permits the payment of travel expenses to staff members when on official travel orders and working at a location that is different from their principal place of business or residence. No allowances are available for movement of household goods or for the transportation of family members.

Telecommunications and IT Services

Telecommunications and IT services and equipment may be obtained on request from GSA. This includes (but is not limited to) technical assistance, planning, configuration, initial acquisition, installation, change orders, maintenance and deinstallation. Contracts for these services/equipment may be executed between private vendors and GSA. The GSA Transition

Support Team will assist in coordinating these services/equipment. The Offices of the Former President and Vice President shall reimburse GSA for all charges relating to the use of GSA-provided telecommunications and IT services and equipment

The Offices of the Former President and Vice President may use GSA's long distance service for official transition business only. Any other use of the service is prohibited.

Effective Dates

This MOU becomes effective upon signature by all parties, (but no funds may be expended for any services or facilities prior to December 21, 2020) and terminates on July 21, 2021.

Amendments

Any of the terms and conditions of this MOU, other than those reflecting existing laws or regulations, may be amended at any time by the mutual agreement of the parties in writing.

Authorization

The terms and conditions of this MOU are agreed to and approved by:

~~The Office of the Former President~~

By: (b) (6)

Mark R. Meadows

Assistant to the President and
White House Chief of Staff

Dated: 1/11/21

General Services Administration

By: MARY GIBERT Digitally signed by MARY GIBERT
Date: 2021.01.12 17:12:03 -0500

Mary D. Gibert

Federal Transition Coordinator

Dated: 1/12/21

~~The Office of the Former Vice President~~

By: (b) (6)

Dated: 1/12/21